

Message Text

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PAGE 01 STATE 001692

64

ORIGIN L-03

INFO OCT-01 ARA-16 ISO-00 SAB-01 SCS-03 SCA-01 CIAE-00

INR-10 NSAE-00 RSC-01 DODE-00 CG-00 EB-11 /047 R

DRAFTED BY L/ARA:MGKOZAK:CBF

APPROVED BY L/ARA:DAGANTZ

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FM SECSTATE WASHDC

TO AMEMBASSY SANTIAGO

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E.O. 11652: N/A

TAGS: PFOR, CI

SUBJECT: POST MORTEM ON IMIAS INCIDENT

1. THE DEPARTMENT IS PREPARING FOR PUBLICATION IN THE NEAR FUTURE A SHORT NOTE CONCERNING THE ATTACHMENT OF THE CUBAN SHIP IMIAS IN THE PANAMA CANAL WHICH WILL SET FORTH THE BASIC RATIONALE BEHIND THE DEPARTMENT'S SUGGESTION OF SOVEREIGN IMMUNITY. DEPARTMENT, THEREFORE, REQUESTS EMBASSY CONFIRM THE ACCURACY OF UNDERSTANDINGS RELATED BELOW.

2. IT IS THE DEPARTMENT'S UNDERSTANDING THAT INDUSTRIA AZUCERERA NACIONAL, S.A., ONE OF THE CHILEAN PLAINTIFFS, IS A WHOLLY OWNED SUBSIDIARY OF CORFO. WITH RESPECT TO THE OTHER PLAINTIFF, COMPANIA DE REFINERIA DE AZUCAR DE VINA DEL MAR (THE OWNER OF THE CRANES CARRIED OFF BY THE IMIAS) IT IS UNDERSTOOD THAT THIS CORPORATION WAS PRIVATELY OWNED BUT HAD BEEN INTERVENED AND WAS THEREFORE UNDER THE DIRECT MANAGERIAL CONTROL OF THE GOC AT THE TIME OF THE LITIGATION.

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3. DEPARTMENT IS ALSO INTERESTED IN WHETHER THE PRIVATE OWNERS OF COMPANIA DE REFINERIA DE AZUCAR DE VINA DEL MAR INCLUDED ANY U.S. NATIONALS AND WHETHER THE GOC INTERVENOR WAS RESPONSIBLE TO CORFO OR TO ANOTHER GOC AGENCY. KISSINGER

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Message Attributes

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